

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

UNITED STATES OF AMERICA

CASE NO: 11-20445-03

vs.

JASON JOEL THORNTON

DISTRICT JUDGE THOMAS L. LUDINGTON
MAGISTRATE JUDGE CHARLES E. BINDER

ORDER REVOKING BOND

The Defendant appeared before this Magistrate Judge on September 13, 2011, in response to a Petition For Action on Conditions of Pretrial Release. Testimony was taken and considered, together with arguments from counsel. From the evidence presented at this hearing, I make the following findings:

1. As to allegations that the Defendant violated his bond by failing to contact Pretrial Services regarding a temporary change of address, I conclude that Defendant's efforts were reasonable in light of the fact that it was a holiday.

2. As to allegations that the Defendant violated his bond due to abuse of bath salts, I find no evidence on this record supporting this allegation.

3. Based upon his admission to Pretrial Services, I find that the Defendant violated the bond condition prohibiting the use of alcohol.

4. As to allegations that the Defendant violated the condition of bond prohibiting assaultive, threatening or intimating behavior:

a. I find the statements made in the Midland County Sheriff's Department Incident Report more credible than the witness testimony.

b. I further find from the uncontradicted witness testimony that the Defendant's actions

on September 5, 2011, constitute a battery and, therefore, a violation of this condition.

Accordingly, pursuant to 18 U.S.C. § 3148(b), I conclude that there is clear and convincing evidence that Defendant violated conditions of his bond, and that his release poses a risk of harm to his family and the community. Further, if released, he is unlikely to abide by the conditions of bond.

Based on these findings, **IT IS HEREBY ORDERED** that pursuant to 18 U.S.C. § 3148 the Defendant's bond is hereby **REVOKED**, and the Defendant is remanded to the custody of the U.S. Marshal.

s/ Charles E Binder

CHARLES E. BINDER

United States Magistrate Judge

Dated: September 14, 2011

CERTIFICATION

I hereby certify that this Order was electronically filed this date, electronically served on Libby Dill and Eric Proschek, and served Pretrial Services Officer Rooney and the U.S. Marshal's Service by other electronic means.

Date: September 14, 2011

By s/ Jean L. Broucek
Case Manager to Magistrate Judge Binder